

ducing certain curative and therapeutic effects claimed in the labeling. It was claimed in the labeling that the articles conformed to the United States Pharmacopoeia and National Formulary, whereas in neither of these authorities are ichthyol ointment or mentholated ointment recognized.

On August 1, 1933, and January 9, 1934, the United States attorney for the Middle District of Pennsylvania, acting upon reports by the Secretary of Agriculture, filed in the district court libels praying seizure and condemnation of 281 tubes of ichthyol ointment and 68 tubes of mentholated ointment in part at Scranton, Pa., and in part at Wilkes-Barre, Pa., alleging that the articles had been shipped in interstate commerce by the Petrolene Laboratories; that 141 tubes of the said ichthyol ointment had been shipped on or about July 7, 1933, from Brooklyn, N. Y.; and that the remainder of the ichthyol ointment and the mentholated ointment had been shipped on or about November 21, 1933, from New York, N. Y., and that the articles were misbranded in violation of the Food and Drugs Act as amended.

Analyses of samples of the articles by this Department showed that the ichthyol ointment consisted essentially of sulphonated bitumen incorporated in petrolatum, and that the mentholated ointment consisted essentially of menthol incorporated in petrolatum.

It was alleged in the libels that the articles were misbranded in that the statement on the carton, "We guarantee each ointment to be strictly U. S. P. or N. F. and will assume responsibility on this item", was false and misleading, since neither in the United States Pharmacopoeia nor in the National Formulary are ichthyol ointment or mentholated ointment recognized. Misbranding was alleged for the further reason that the following statements, regarding the curative or therapeutic effects of the articles, were false and fraudulent: (Ichthyol ointment, tube and carton) "A remedy for eczema, acne, itch, boils, carbuncles, and kindred skin infections"; (mentholated ointment, tube and carton) "Very effective for Nerves."

On August 23, 1933, and January 30, 1934, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the products be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21573. Misbranding of Vermilax. U. S. v. 35 Bottles of Vermilax. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30781. Sample no. 42929-A.)**

Examination of the drug preparation Vermilax disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On July 28, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 35 bottles of Vermilax at Scranton, Pa., alleging that the article had been shipped in interstate commerce in various shipments on or about May 27, May 29, and June 10, 1933, by the Biddle Purchasing Co., from New York, N. Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of ground kamala and a small proportion of starch suspended in a mixture of water and alcohol.

It was alleged in the libel that the article was misbranded in that the following statements appearing on the bottle label and wrapper, regarding the curative and therapeutic effects of the article, were false and fraudulent: (Bottle) "Vermilax supreme worm remedy \* \* \* Removes all stomach and intestinal worms in half an hour", (wrapper) "Vermilax \* \* \* Supreme worm remedy \* \* \* removes tape worms, round worms and all other stomach and intestinal worms in dogs in half an hour."

On August 19, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21574. Misbranding of Vita Oil. U. S. v. 45 Small and 23 Large Packages of Vita Oil. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30828. Sample nos. 31672-A, 31673-A.)**

Examination of samples of the drug preparation Vita Oil disclosed that the article contained no ingredient or combination of ingredients capable of pro-

ducing certain curative and therapeutic effects claimed on the bottle and carton labels.

On August 7, 1933, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 45 small and 23 large packages of Vita Oil at New York, N. Y., alleging that the article had been shipped in interstate commerce on or about December 6, 1932, by the Lawson Transfer & Storage Co., from Rockford, Ill., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of a mineral oil such as kerosene, a fatty oil, turpentine oil (5.8 percent), and a trace of mustard oil.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article, were false and fraudulent: (Carton) "Vita Oil is Especially Recommended in the Treatment of the Following: Sore Throat, Bronchitis, Coughs \* \* \* Sore feet Stiff Neck \* \* \* Vita Oil is Recommended for Neuritis, Sciatica, Lumbago \* \* \* Rheumatism, Arthritis, Pain, Stiffness, Soreness in the joints \* \* \* will assist in banishing inflammation, soreness and pain \* \* \* healing \* \* \* tending to relieve congestion", (bottle) "Relieve congestion, pain and inflammation, whether due to \* \* \* contracted cords and muscles, or swollen, stiff and lame joints \* \* \* for best results."

On September 7, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21575. Misbranding of Baume Analgesique. U. S. v. 79 Tubes of Baume Analgesique. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30807. Sample no. 42951-A.)**

Examination of the drug product involved in this case disclosed that the article contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the labeling.

On August 1, 1933, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 79 tubes of Baume Analgesique, in part at Wilkes-Barre, Pa., and in part at Scranton, Pa., alleging that the article had been shipped in interstate commerce on or about May 19, 1933, by the American Pharmaceutical Co., Inc., from New York, N. Y., to Wilkes-Barre, Pa., that a portion had been reshipped to Scranton, Pa., and that the article was misbranded in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of menthol (23.4 percent) and methyl salicylate (0.5 percent), incorporated in an ointment base.

It was alleged in the libel that the article was misbranded in that the following statements regarding the curative or therapeutic effects of the article were false and fraudulent: (Tube) "To relieve pain in treating sciatica, rheumatism, neuritis", (circular) "Relieves aches and pains \* \* \* aching feet \* \* \* asthma and hay fever \* \* \* bronchitis, relief in the dry state of bronchitis \* \* \* bunions \* \* \* cough \* \* \* croup \* \* \* earache \* \* \* below the superficial epidermis to the congestion which is the cause of pain \* \* \* by penetrating to the seat of congestion builds up the circulation and relieves the pain as the blood flows freely again carrying away the poisonous substances and removing the pressure. Congestion is the cause of almost every ache and pain directly or indirectly \* \* \* backaches \* \* \* cause congestion, immediately relieving that congestion as nature does herself but much more slowly is the main purpose of Baume Analgesique. Frost Bite \* \* \* Neuritis, Sciatica \* \* \* the aching area. \* \* \* Rheumatism, Gout \* \* \* where the pain is severe. Sore Throat \* \* \* Stiff Neck \* \* \* Tonsillitis \* \* \* Toothache."

On August 23, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*